

REMARKS

Claim 1 has been amended to differently recite the invention. New Claim 7 has been added. Claims 1-7 are now pending.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over JP 10-149796 (“JP ‘796”) in view of JP 64-024355 (“JP ‘355”) and rejected claims 3-6 under 35 U.S.C. § 103 (a) as being unpatentable over “JP ‘796” in view of JP ‘355 and further in view of JP 01-213953 (“JP ‘953”). Applicant traverses these rejections, at least for the following reasons.

In this regard, Applicant submits that the applied references of record do not disclose or suggest Applicant’s claimed combination comprising a high-melting metal coating covering a cathode substrate except for the tip portion. Instead, JP ‘796 includes a carbide layer, rather than a high-melting metal coating, covering the cathode substrate. The understood intended purpose of this structure is to increase light output stability. This coating does not apparently include material likely to emit electrons.

Applicant submits that the other applied references do not make up for the deficiencies in JP ‘796. The applied JP ‘355 reference, for example, does not show a flash lamp. Instead, the disclosed lamp is a short arc lamp. Thus, Applicant submits that there would be no motivation to combine JP ‘796 and JP ‘355. Moreover, even if the applied references were to be combined in the manner asserted in the Office Action, the resulting combination would still not include a high-melting metal coating covering a cathode substrate except for the tip portion. Accordingly,

for at least the foregoing reasons, reconsideration and withdrawal of the rejections applied to claims 1-6 is respectfully requested.

Applicant submits that in addition to its being dependent on allowable claim 1, at least new claim 6 patentably distinguishes over the applied references in that it recites a flash lamp wherein the metal substrate is an impregnation type or sintering type substrate. The metal substrate in references such as JP '355, on the other hand, is made of tungsten including thorium. Hence, the cathode metal substrate of JP '355 is not an impregnation or sintering type in the manner required by new dependent claim 7. Accordingly, this claim also patentably distinguishes over the applied references for at least this additional reason.

CONCLUSION

In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite prosecution. A favorable action is awaited.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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